

OFFICE OF THE TOWN CLERK

Fiscal Year 2004

Fiscal year 2004 proved to be an extremely busy year for the Town Clerk's Office, which continues to provide a multitude of services to the public. During the fiscal year our office also encountered several changes in laws and regulations at both the federal and state level that had a direct bearing on the daily functions of the Town Clerk's Office. The Town Clerk's Office continues to process a high volume of passport applications, notarizations, certified copies and various licenses and permits. Our department processed 1,391 passport applications and issued 1,546 certified copies of vital records in fiscal year 2004.

The Town Clerk's Office experienced significant staff changes during the fiscal year. In August, Anna Maciaszek, the Interim Town Clerk and former Assistant Town Clerk, was officially appointed Town Clerk. In November, Emily Daniell joined our staff as part-time Customer Assistant. Emily offers additional support during our office's peak hours of 11 a.m. to 3 p.m. In addition, a noteworthy accomplishment was reached by Customer Service Assistant, Patricia Olanyk, who reached her 10-year milestone with the Town in August, 2003.

In FY 04 history was made in Massachusetts, with the legal allowance of marriage between same-sex couples. On November 18, 2003 the Massachusetts Supreme Judicial Court (SJC) declared that "barring an individual from the protections, benefits and obligations of civil marriage solely because that person would marry a person of the same sex violates the Massachusetts Constitution." The SJC allowed 180 days before entry of judgment to permit the state legislature to take action as it may deem appropriate in light of their opinion. Given that the state legislature did not make any statutory changes to the marriage laws, May 17, 2004, was the first day that same-sex couples could formally file their intentions of marriage with the Town Clerk's Office. This historic day brought in 22 same-sex couples, who exercised their constitutional right to declare their intention to marry. In addition, the Town extended warm wishes to the same-sex couples by hosting a reception for them in the Town Room for the day.

Town Meeting

Two special town meetings, as well as a five-session annual town meeting were held in FY 04. Fifteen of the forty articles on the Annual Town Meeting warrant were placed by citizen petition. In accordance with the Amherst Town Government Act, Section 1.5421, the Town Clerk's Office informed Town Meeting members of vacancies that existed in their precincts. Twenty-five vacancies existed; of that twenty-five, twenty-two were in Precinct 10. Our office was not able to fill any of the vacancies, as no nomination papers were filed with our office.

Voter Registration

Voter registration was unusually low for a year with a Presidential Primary. The number of registered voters at the Special Election on October 21, 2003 was 15,401. By the Annual Town Election on March 30, 2004 the Town had 16,204 registered voters. During the fiscal year, our office conducted three voter registration sessions.

Elections

The Town Clerk's Office oversaw three elections during the fiscal year. The first election of the fiscal year was a special election to fill a vacancy that existed on the Select Board, which brought out 16.5% of the registered voters. The Presidential Primary on March 2, 2004, saw a turnout of 23.7% of the registered voters. Lastly, the annual Town Election, on March 30, 2004, which

listed candidates for Town offices, Town Meeting and two Proposition 2 ½ override questions, had a turnout of 28.3% of the registered voters in Town. Three training sessions were offered to election workers prior to the March elections, to provide a review of the election laws and to update them on the new Help America Vote Act (HAVA) regulations.

The Help America Vote Act is a new federal law that was enacted in 2002 to reform voting throughout the country and in response to the problems that arose during the 2000 Presidential election. This new law called for the entire nation to improve voting systems, voter registration, training and education, and to improve accessibility for disabled voters, as well as other areas affecting the voting process. Provisions of HAVA were given a strict implementation timeline. In fiscal year 2004, two provisions were put into practice. The first was the use of the provisional ballots, which replaced escrow ballots for persons asserting their right to vote who do not appear on the voter list. The second provision was the requirement of providing a driver's license number or the last four digits of their social security number for all newly registered voters.

On May 6, 2004, Chapter 91 of the Acts of 2004 was signed by the Governor. This bill allowed for the reprecincting of the Town based on the precinct lines approved by the Select Board on January 27, 2003. Amherst's Representative Town Meeting will be better facilitated by the passage of the bill, as Precinct 10 will no longer solely encompass UMass on-campus housing. Precinct 10 will once again include residential streets surrounding the University and will rectify the low voter activity in Precinct 10. Follow-up work began with creating new precinct maps and preparing postcards to inform registered voters of the changes made to the precinct lines. The Select Board also voted to move the polling place for Precinct 10 back to Bangs Community Center. The change in polling locations initiated discussions between the Town and the University's Student Government Association to create a sub-precinct at the University again.

BOARD OF REGISTRARS

Fiscal Year 2004

Members:

Robert W. McAllister, Sr. – Republican, Chair

Gladys Rodriguez – Democrat

Doris R. Holden – Republican

Anna M. Maciaszek, Town Clerk

The Board of Registrars held voter registration sessions on October 1, 2003; February 11, 2004; and March 10, 2004, as these dates were the deadlines to register to vote in the Special Election to fill a vacancy on the Select Board, 2004 Presidential Primary, and the 2004 Annual Town Election, respectively. There was a moderate turnout for each of the sessions, which were conducted from 8:00 a.m. to 8:00 p.m.

Numerous initiative petitions, Town and state nomination papers were circulated during the fiscal year. A large number of petition papers were certified for the resubmission of the charter question to appear on the 2005 Annual Town Election ballot. As part of the certification process, Town Clerk staff members are authorized by the Board of Registrars to assign codes to the signatures of registered voters on nomination papers and petition forms.

The 2004 annual register of voters and the Amherst Street List were produced, using information provided on the annual street listing forms and follow-up confirmation cards.

Respectfully submitted,

Anna M. Maciaszek, Town Clerk
Clerk of the Board of Registrars

VITAL STATISTICS – FY 04

Births 192

Marriages 150

Deaths 159

VOTING INFORMATION – FY 04 (at March 30, 2004 Annual Town Election)

<u>Precincts</u>	<u>Registered Voters</u>	<u>Poll Location</u>	<u>Elected Town Meeting Members</u>
1	1,682	N. Congregational Hall	24
2	1,848	North Fire Station	24
3	866	Immanuel Lutheran Church Lounge	24
4	1,664	Bangs Community Center	24
5	1,511	Bangs Community Center	24
6	2,106	Fort River School	24
7	1,804	Crocker Farm School	24
8	2,518	Munson Memorial Library	24
9	1,624	Wildwood School	24
10	<u>581</u>	Hampden Dining Commons, UMass	24
	16,204		